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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2018]

* Issued as received, in the language(s) of submission only.

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Human Rights Concerns in UAE

The United Arab Emirates (UAE) tries to portray itself as a modern country that has a high economic growth. In spite of the creation of its modern appearance, this inconsistency in development is completely visible in the social and political sectors of the society. Moreover, the government's approach and behavior in widespread violation of human rights in UAE society and Yemen have illustrated an autocratic modern state with low level of commitment to human rights.

Women's rights

Women continue to face discrimination in law and in practice in the United Arab Emirates. Furthermore, the UAE constitution grants general equality before the law in Article 25, however, the second part of this article lacks the important legal prohibition of gender-based discrimination, only stating that "no discrimination shall be practiced between citizens of the Union by reason of race, nationality, religious belief or social position."[1] The legal framework discriminates against women notably in matters of equality to men, marriage and divorce, nationality, freedom of movement, inheritance and child custody. They are inadequately protected against sexual violence and violence within the family.[2]

Violence against women, especially migrant domestic workers, is high as the law provides no safeguards against gender-based violence.[3] In a study, Dubai police found that only 9.5% of all sexual assaults are ever reported. Such situation is partly relies on the illusion of the criminal justice agencies from recording reported attacks on women.[4]

Freedom of Expression

By creating serious restriction for freedom of expression and association, the UAE government has caused restrictions on formation of political parties and civil institutions. These restrictions are visible in various political and social spheres of the country. The UAE constitution accepts freedom of expression and the press, but in practice the government restricts these rights. General criticism of the government and ministers is allowed in a limited way, but criticism of the ruling Emir's family and the Emir in particular is prohibited. Nevertheless, criticisms are expressed in private and with full caution. A number of human rights activists have been prosecuted on the pretext of national security.[5]

The UAE continues to use Federal Law 6 of 1974 Concerning Public Utility Associations to interfere in the operations of civil society organizations. The law goes as far as allowing the Ministry of labour and Social Affairs to send representatives to monitor meetings of the CSOs.

The UAE continues to use anti-terror laws to punish human rights defenders. The UAE94 – a group of political activists, human rights defenders, lawyers, academics, teachers and students – are still serving heavy sentences handed down in 2013, on spurious charges of attempting to overthrow the government.

Journalists and researchers are still arrested, deported and jailed for carrying out their word. Ahmed Mansoor who was jailed in 2017 for making posts on social media, was sentenced to 10 years in prison last month. Academic Nasser Bin Chaith is also serving a 10-year prison sentence after he was arrested in 2015 for making posts on social media and continues to be denied access to medical treatment. Both men are believed to be held in solitary confinement.

Migrant workers

The UAE is one of the countries that despite receiving around 53 recommendations in its third round of the Universal Period Review in 2018 based on the ratification and joining international conventions and 7 recommendations for the

[1] https://www.constituteproject.org/constitution/United_Arab_Emirates_2004.pdf.
[2] https://www.amnesty.org/en/countries/middle-east-and-north-africa/united-arab-emirates/report-united-arab-emirates/.
[3] http://icfuse.org.uk/issues/women%E2%80%99s-rights-uae-0.
[4] https://www.tamimi.com/law-update-articles/women-in-the-uae/.
[5] www.yjc.ir.

ratification of the International Convention on the Protection of all Migrants Rights and Members of their Families, the country has still not joined this Convention.[6] The international slavery index deems the situation of the UAE as negative with regards to the rights of migrant workers and calls for effective reformist strategies and policies to be adopted in support of this group. The UN High Commissioner for Human Rights prepared a 13-page report on the human rights situation in the UAE on 5 January for submission in the 29th Session of the Human Rights Council. In it he expressed concern mistreatments such as confiscation of passports, unfair incarcerations, not paying wages and overtime work for migrant workers.[7]

In a report in 2009, Human Rights Watch called on the UAE government to reform the sponsor system which is one of the human rights violation cases in the country, to-date no amendments have been made to the law. In the sponsorship system as a work and visa support system, in the Persian Gulf countries, migrant workers need the permission of their employees to leave the country or change jobs, and this itself is a human rights violation. Also due to the extent of human rights violations in this country giving reports to relevant organizations is difficult. Nonetheless, organizations such as Tourism Development and Investment Company (TDIC) have taken steps in towards these violations such as setting guidelines to prevent the confiscation of passports and setting specific working hours.

UAE Arbitrary Detentions and Secret Prisons in Yemen

Arbitrary detentions and creation of secret prisons run by the UAE in southern Yemen is one of the gravest concerns of international organizations and human rights activists which have resulted in the violation of the rights of hundreds of victims. The UAE funds, trains and directs proxy forces which have arbitrarily detained, disappeared and brutally mistreated men and boys in Yemen. They run prisons where many have been disappeared and reported horrific abuse.[8]

The UAE officials appear to have ordered the continued detention of people despite release orders, forcibly disappeared people, and reportedly moved high-profile detainees outside the country. Former detainees and family members reported abuse or torture inside facilities run by the UAE, AND UAE backed forces. Yemeni activists who have criticized these abuses have been threatened, harassed, detained and disappeared.[9]

In the town of al-Makla in southern Yemen alone, approximately 400 people have disappeared following arrest and approximately 1500 have been detained in Aden.

The Foreign Minister of the Yemeni National Salvation Government, Hisham Sharaf in Sanaa announced that the Saudi led coalition have set up prisons in Yemeni cities and islands like Abu-Ghraib and Guantanamo to torture captives and detainees.

Sharaf revealed the existence of hidden detention and torture centers under the supervision of coalition forces in Aen, Al-Makla and Seghtari and also foreign warships situated in the Red Sea and Gulf of Aden, and declared that in these hidden prisons detainees are subjected to various forms of torture, and ultimately the detainees are handed over to foreign security and military forces or terror groups, which are seen as war crimes. They have created prisons like Abu Ghraib in Iraq and the Guantanamo Bay detention centers.[10]

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[6] https://www.ohchr.org/EN/HRBodies/UPR/Pages/AEIndex.aspx.

[7] https://www.aljazeera.com/news/2018/01/raises-concern-human-rights-uaw-180110045834391.html.

[8] https://www.hrw.org/news/2018/06/29/uae-continues-flout-international-law.

[9] https://www.hrw.org/world-report/2018/country-chapters/united-arab-emirates.

[10] http://iuvmpress.com/11521.